Overview

(December 23, 2015, Washington, DC) — Steptoe & Johnson LLP has successfully helped defend the city of Seattle and Mayor Ed Murray in a lawsuit challenging a city ordinance to impose a $25 per firearm tax on retailers to address the costs of gun violence. On December 22, King County Superior Court Judge Palmer Robinson ruled that the city has the legal authority to enact the tax, dashing an attempt by the NRA and several other groups to overturn the law.

Judge Robinson’s ruling aligns with the position argued by the city that “the ordinance does not limit any person’s right to purchase, sell, acquire, transfer, discharge, or transport firearms or ammunition.”

“T’m gratified by Judge Robinson’s thorough analysis, and congratulate our team of attorneys who argued the case before her last Friday,” City Attorney Pete Holmes said. “The NRA needs to butt out of Seattle’s efforts to enact sensible gun safety legislation.”

“The court got the law absolutely right,” said Steptoe’s William F. Abrams, who led the litigation team and appeared for the city pro bono. “Seattle’s right to fund research and education on gun violence was upheld. This time the NRA was unsuccessful in trying to block research on gun violence. The real winners are the citizens of Seattle, whose government can move forward to fund important research on this public health epidemic that affects everyone.”

In a Seattle summer marred by random gunfire, the city council unanimously approved, and Mayor Murray signed, the ordinance that, come January, will levy a $25 tax on businesses for each firearm sold at retail within city limits to provide a sustained local revenue source for research and prevention programs. In addition, the city will impose a two-cent tax for every round of .22 caliber ammunition sold and a five-cent tax for every other round of ammunition sold. A companion ordinance mandates that lost or stolen firearms be reported to the Seattle Police Department.

Of the ruling, the ordinance’s sponsor, Councilman Tim Burgess, said, “We established the gun violence tax as a legitimate and appropriate way to raise revenue for gun safety research and prevention programs. The NRA and its allies always oppose these common sense steps to shine light on the gun violence epidemic. They have blocked funding for basic gun safety research at the federal level for decades. But in Seattle it is different. Judge Robinson saw through the NRA’s distorted efforts to put gun industry profits ahead of public safety.”

Welcoming the ruling, Mayor Murray said: “Guns now kill more people in the United States than automobiles. Our community will not stand by as so many in our city, particularly young people of color, continue to pay the highest price for inaction on gun violence at the national and state level. For too long, we have had insufficient research and data on gun violence in Seattle to help guide our response. We will now have critical funding to advance our work on gun violence research and prevention.”

Along with Mr. Abrams, the Palo Alto-based Steptoe team includes partner Laurie Edelstein, of counsel Sarah Jackel, and associate David Kwasniewski.
About Steptoe

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